

REMARKS

1. Amendment After Allowance

Section 1.312 states that "[n]o amendment may be made as a matter of right in an application after the mailing of the notice of allowance. Any amendment filed pursuant to this section must be filed before the payment of the issue fee, and maybe entered on the recommendation of the primary examiner...." MPEP §714.02 requires that an applicant seeking to enter an amendment after allowance show 1) why the amendment is needed; 2) why the proposed amended or new claims require no additional search or examination; 3) why the claims are patentable; and 4) why they were not presented earlier.

The present amendment seeks to introduce new dependent claims 23 through 33. In a telephone interview with the examiner on today's date, he indicated that the previous attempt to introduce an amendment after allowance was the presence of former claim 28. As a result the present amendment omits the offending language in the previous claim and presents again former claims 29-34 renumbered as claims 28-33. Considering that the present amendment after allowance is being filed before payment of the issue fee. It is respectfully requested that these amendments be entered.

It is desired that the application issue in due course. If the Examiner has any questions concerning the present response, the Examiner is kindly requested to contact the undersigned at (408) 774-6910. If any fees are due in connection with filing this response, the Commissioner is authorized to charge Deposit Account No. 50-0805 (Order No ADAPP230).

Respectfully submitted,
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